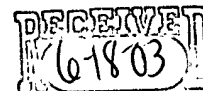


#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steve Vestergaard et al Examiner: Safet Metjahic
Serial No.: 09/980,582 Group Art Unit: 2171
Filed: November 2, 2001 Docket: 119.5-US-WO
Title: DIGITAL MEDIA DISTRIBUTION METHOD AND SYSTEM

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being transmitted by facsimile transmission to the United States Patent and Trademark Office on June 18, 2003.

By:

Name: George H. Gates

REQUEST FOR WITHDRAWAL BY ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. George H. Gates, the attorney signing below on behalf of himself and all attorneys identified by name in the Power of Attorney filed in this application on November 2, 2001, respectfully request permission to withdraw from all further responsibility in this case in accordance with 37 C.F.R. §1.36.

CORRESPONDENCE ADDRESS

2. Change the correspondence address and direct all future correspondence to the assignee at:

Mr. Steven Vestergard
Destiny Media Technologies, Inc.
1040 1055 West Hastings
Vancouver, BC.,
V6E 2E9

BASIS FOR WITHDRAWAL REQUEST

3. The reasons for our request are as follows:
A. We were originally engaged by a Canadian law firm to prosecute this application in the U.S. Patent and Trademark Office (PTO) on their behalf as agents for the assignee, Destiny

Media Technologies, Inc. However, the Canadian law firm recently informed us that they no longer represented the assignee.

B. We then contacted the assignee for their instructions. The assignee has informed us that we should withdraw from the application and instruct the PTO to direct all correspondence to the address provided above.

C. The foregoing reasons are believed to be valid grounds for permissive withdrawal under 37 C.F.R. §10.40(c)(5).

ALLOWANCE OF TIME FOR CLIENT TO ACT


4. There are no outstanding deadlines for responding to the Office in the above-identified matter.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. §10.40(a), a copy of this request is being sent to the assignee. A copy of the letter to the assignee is attached.

NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.
7. No other matters are being handled by our firm on behalf of this assignee.
8. Signature on behalf of the attorneys withdrawing:


George H. Gates
Reg. No. 33,500

George H. Gates is a partner in the law firm of Gates & Cooper LLP, 6701 Center Drive West, Suite 1050, Los Angeles, CA 90045, Telephone: (310) 641-8797, is authorized to sign on behalf of all attorneys in the Power of Attorney filed in this application on November 2, 2001, and does hereby sign on behalf of each and every attorney set forth in the Power of Attorney filed in this application on November 2, 2001.

Respectfully submitted,

GATES & COOPER LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
(310) 641-8797

Date

6/18/03

By

George H. Gates
Reg. No. 33,500

Gates & Cooper LLP

Intellectual Property Law

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
Tel (310) 641-8797
Fax (310) 641-8798

Direct (310) 642-4146
ggates@gates-cooper.com

June 18, 2003

Mr. Steven Vestergard
Destiny Media Technologies, Inc.
1040 1055 West Hastings
Vancouver, BC,
V6E 2E9

Re: Your Reference: 08-886541US1
Our Reference: G&C 119.5-US-WO
U.S. PCT Application Serial Number 09/980,582 for:
DIGITAL MEDIA DISTRIBUTION METHOD AND SYSTEM

Inventors: Steve Vestergaard, Che-Wai (William) Tsue, and Edward Kolic

Dear Mr. Vestergaard:

Per your email of June 18, 2003, enclosed is a Request for Withdrawal by Attorney submitted to the United States Patent and Trademark Office (PTO). As noted, we have instructed to the PTO to forward all correspondence to your address.

Although there are no outstanding actions for this matter, we advise that you immediately seek other counsel to ensure that your application is maintained. Moreover, we have previously provided Gowlings with complete copies of all papers in your file, and assume that they provided these copies to you. However, should you require additional copies of any of the papers in your file, please contact us with your instructions.

Sincerely,



George H. Gates

GHG/

Enclosures

Gates & Cooper LLP

Intellectual Property Law

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
Tel (310) 641-8797
Fax (310) 641-8798

Direct (310) 642-4146
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Re: Your Reference: 08-886541US1
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Sincerely,



George H. Gates

GHG/

Enclosures

2109
Gates & Cooper LLP

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045

FAX TRANSMISSION TO USPTO

TO: Commissioner for Patents
Attn: Examiner Safet Metjahic
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: George H. Gates
OUR REF.: G&C 119.5-US-WO
TELEPHONE: (310) 642-4146

Total pages, including cover letter: 15

PTO FAX NUMBER: 703/746-7239

If you do NOT receive all of the pages, please telephone us at (310) 641-8797, or fax us at (310) 641-8798.

| | |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Title of Document Transmitted: | REQUEST FOR WITHDRAWAL BY ATTORNEY (in triplicate) with attached NOTIFICATION OF CLIENT UNDER 37 C.F.R. §10.40(a). |
| Applicant: | Steve Vestergard et al. |
| Serial No.: | 09/980,582 |
| Filed: | April 4, 2002 |
| Group Art Unit: | 2171 |
| Our Ref. No.: | G&C 119.5-US-WO |

By: George H. Gates

Name: George H. Gates
Reg. No.: 33,500

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

George H. Gates
Signature

June 18, 2003
Date

GHG/io

G&C 119.5-US-WO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
6/18/03

Applicant: Steve Vestergaard et al. Examiner: Safet Metjahic
Serial No.: 09/980,582 Group Art Unit: 2171
Filed: April 4, 2002 Docket: G&C 119.5-US-WO
Title: DIGITAL MEDIA DISTRIBUTION METHOD AND SYSTEM

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on June 18, 2003.

By: [Signature]
Name: George H. Gates

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ REQUEST FOR WITHDRAWAL BY ATTORNEY (in triplicate) with attached NOTIFICATION OF CLIENT UNDER 37 C.F.R. §10.40(a).

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge all requisite fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

GATES & COOPER LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
(310) 641-8797

By: [Signature]
Name: George H. Gates
Reg. No.: 33,500
GHG/io

G&C 119.5-US-WO

Received from <+13106418798> at 6/18/03 4:14:48 PM [Eastern Daylight Time]